

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN M. WHISENANT,

Defendant.

CASE NO. 2:24-cr-00147-LK

ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL  
DATE AND PRETRIAL MOTIONS

This matter comes before the Court on the Defendant John M. Whisenant's Unopposed Motion to Continue the Trial Date and Pretrial Motions. Dkt. No. 17.

On March 22, 2024, Mr. Whisenant pleaded guilty to one count of Wire Fraud. *United States v. Whisenant*, No. 2:23-cr-00138-LK, Dkt. Nos. 26–30 (W.D. Wash.). Mr. Whisenant's sentencing was set for July 16, 2024, but he failed to appear. Dkt. No. 1 at 1; *see also* 23-cr-138, Dkt. No. 45. The Court subsequently reset the sentencing date for October 11, 2024. 23-cr-138, Dkt. No. 53.

1 On August 28, 2024, the Government filed an indictment against Mr. Whisenant based on  
2 his non-appearance. Dkt. No. 1. Following an initial appearance and arraignment, a trial date was  
3 set for November 18, 2024, and a pretrial motions cut-off date for October 3, 2024. Dkt. No. 6.

4 Mr. Whisenant now requests that his trial date be continued to June 2, 2025 and the pretrial  
5 motions cut-off date to April 21, 2025. Dkt. No. 17 at 2. The Government does not oppose the  
6 request. *See id.* at 1–2. Mr. Whisenant represents that a continuance will allow him to “explore a  
7 potential resolution of this matter with the Government.” *Id.* at 2. If resolved, this case could then  
8 track the related case currently pending before the Court (23-cr-138), and sentencings in both cases  
9 could be coordinated. *See id.* This would “streamline sentencing in both cases, avoid litigation on  
10 duplicate issues, and preserve judicial economy.” *Id.* The Court agrees and finds that the ends of  
11 justice served by granting a continuance outweigh the best interest of the public and Mr. Whisenant  
12 in any speedier trial. *See* 18 U.S.C. § 3161(h)(7)(A). Mr. Whisenant has filed a speedy trial waiver  
13 waiving his right to a speedy trial through July 2, 2025. Dkt. No. 18 at 1.

14 \* \* \*

15 The Court therefore GRANTS Mr. Whisenant’s motion, Dkt. No. 17, and ORDERS that  
16 his trial date be continued from November 18, 2024 to June 2, 2025, and that the pretrial motions  
17 deadline shall be continued to April 21, 2025. It is further ORDERED that, pursuant to 18 U.S.C.  
18 § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to the new trial date is  
19 EXCLUDED when computing the time within which Mr. Whisenant’s trial must commence under  
20 the Speedy Trial Act.

21 Dated this 4th day of October, 2024.

22 

23 Lauren King  
24 United States District Judge